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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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|-------------------------------|---|------------------------|
| ESAU DOZIER, |) | |
| |) | |
| Petitioner, |) | 2: 08-cv-00489-KJD-GWF |
| |) | |
| vs. |) | |
| |) | ORDER |
| DWIGHT NEVEN, <i>et al.</i> , |) | |
| |) | |
| Respondents. |) | |
| | / | |

This is a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 in which petitioner, a state prisoner, is proceeding *pro se*. On August 9, 2010, the court entered an order granting respondents' motion to dismiss this action as barred by the statute of limitations. (Docket #25.) On August 26, 2010, petitioner filed a motion requesting reinstatement of his petition. (Docket #27.) Arguing that he is entitled to equitable tolling, petitioner claims that the court should not count against him the time period from February 12, 2007, to January 25, 2008, when his post-conviction habeas case was pending in the Nevada District Court. As clearly set forth in this court's prior order, the court did not count that time period against petitioner. (Docket #25, p. 5.)

1 Accordingly, petitioner has shown no basis for equitable tolling and no basis for reconsideration of
2 the court's prior order. Accordingly, petitioner's motion for reinstatement of his petition is
3 **HEREBY DENIED.** (Docket #27.)

4 DATED: August 31, 2010



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6 UNITED STATES DISTRICT JUDGE
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